IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 30TH MAY 2007 / 9TH JYAISHTA 1929

Bail Appl..No. 3319 of 2007()

CRIME NO. 170 OF 2003 OF CHAVARA POLICE STATION

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PETITIONER/ACCUSED :

DEEPU C. LAL.,
S/O. CHANDRALAL, KUNNUMPURATHU HOUSE, KOTTAKKAKAM WARD,
KOLLAM WEST VILLAGE, KOLLAM

BY ADV. SRI.K.ABDUL JAWAD

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR.
HIGH COURT OF KERALA

2. THE SUB INSPECTOR OF POLICE, CHAVARA POLICE STATION

PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No.3319 of 2007

DATED: 30-05-2007

O R D E R

Petitioner who is the first accused in Crime No. 170 of 2003 of Chavara Police Station for offences punishable under Sections 324, 323, 341 and 294 (b) read with Sec. 34 I.P.C., seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C. No. 612/03 on the file of the J.F.C.M., Karunagappally, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed after considering fact that the third accused in the case has been acquitted and the further fact that the whereabouts of the de facto complainant are unknown.

With the above observation this application is disposed of .

Sd/-V.RAMKUMAR, JUDGE.

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